

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

TERRANCE QUILLEN,  
Petitioner,

Case No. 1:14-cv-170

vs.

Barrett, J.  
Litkovitz, M.J.

WARDEN, MARION  
CORRECTIONAL INSTITUTION,  
Respondent.

**ORDER**

Petitioner, an inmate in state custody at the Marion Correctional Institution, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Doc. 1). This matter is before the Court on petitioner's motion to strike and for sanctions (Doc. 11), respondent's response in opposition (Doc. 12), and petitioner's reply (Doc. 13).

Petitioner moves to strike the 47 pages of state court transcripts filed by respondent as Document 10 on the docket of the Court. These include transcripts of petitioner's October 9, 2012 resentencing hearing before the Butler County, Ohio court; June 11, 2001 sexual predator hearing and disposition; and April 9, 2001 change of plea hearing. (Doc. 10). Petitioner avers he was not provided with a copy of the transcripts and only discovered the existence of Document 10 when he received a copy of the Court's docket sheet on October 8, 2014. (Doc. 11 at 3). He asks the Court to strike the filing or, in the alternative, to direct respondent or the Clerk of Court to provide him with a copy of the transcripts. He also moves for sanctions based on the filing.

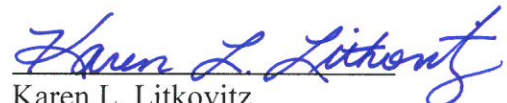
Although the undersigned agrees with respondent that striking the transcripts and/or sanctions are not warranted, the Court will **GRANT** petitioner's motion (Doc. 11) to the extent

that respondent is **ORDERED** to provide petitioner with a copy of the transcripts (Doc. 10) **within thirty (30) days** of the date of this Order. Petitioner's motion to strike and for sanctions is **DENIED** in all other respects. Respondent shall file a notice of compliance upon providing petitioner with a copy of the transcripts.

Petitioner shall have **thirty (30) days** after receiving the transcripts to file any responsive pleading.

**IT IS SO ORDERED.**

Date: 8/12/15

  
Karen L. Litkovitz  
United States Magistrate Judge